

Panaji, 17th January, 2019 (Pausa 27,1940)

SERIES II No. 42

OFFICIAL GAZETTE

GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 41 dated 10-01-2019 namely, Extraordinary dated 16-01-2019 from pages 801 to 802 regarding Notification from Department of Elections.

GOVERNMENT OF GOA

Department of Agriculture

Directorate of Agriculture

Corrigendum

No. 1/11/1/Staff Strength/2018-19/D.Agr/1340

Read: Order No. 1/11/1/Staff Strength/2018-19/D. Agri/978 dated 16-10-2018.

The post mentioned at Sr. No. 4 in the above order may be read as "Assistant Engineer (Civil)" instead of "Assistant Engineer".

By order and in the name of the Governor of Goa.

Madhav B. Kelkar, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 8th January, 2019.

◆◆◆
Department of Education, Art & Culture

Directorate of Technical Education

College Section

Order

No. 8/1/70/LJP/PF/GCA/DTE/2018/2899

Read: Memorandum No. 8/34/86/EDN/Vol.IV/2175 dated 26-10-2018.

On the recommendations of the Goa Public Service Commission conveyed vide their letter No. COM/I/5/6(2)/2017/214 dated 03-10-2018, Government is pleased to appoint Ms. Lorette Joyce Pinto on temporary basis to the post of Assistant Professor in Fine Art (Painting) (Group 'A' Gazetted) at Goa College of Art, Altinho, Panaji-Goa, on an initial pay at Level 10 [(i.e. on an initial pay of Rs. 15,600/- (pre-revised) in the Pay Scale of Rs. 15,600-39,100 (pre-revised) (PB-3)+Academic Grade Pay of Rs. 6000/- (pre-revised)] w.e.f. the date of joining as per the terms & conditions contained in the Memorandum cited above.

The appointment is against the post of Assistant Professor in Fine Art (Painting) created vide order No. 8/26/81/WET dated 02-07-1983, vacated by Shri Digambar Singbal due to superannuation on 31-07-2016.

Ms. Lorette Joyce Pinto will be on probation for a period of two years.

She should join duties within 30 days of the receipt of this order, failing which this order is liable to be cancelled without further notice.

She has been declared fit by Medical Board, Goa Medical College & Hospital, Bambolim vide letter No. 4/105/85-H/GMC/2018/878 dated 28-11-2018. Her character and antecedents have been verified and nothing adverse is reported against her as conveyed by the Additional Collector & ADM, North Goa, Office of the District Magistrate, North Goa, Magisterial Branch, Collectorate Bldg., Panaji vide letter No. 2/6/2013-MAG/VCA/157 dated 08-01-2019.

By order and in the name of the Governor of Goa.

Vivek B. Kamat, Director & ex officio Addl. Secretary (Technical Education).

Porvorim, 10th January, 2019.

Directorate of Education

Goa Board of Secondary and Higher Secondary Education

Addendum

No. GBSHSE/I.T./Brd-Ele-2017-2021/128

Read Goa Board of Secondary & Higher Secondary Education, Notification No. GBSHSE/IT/BRD-ELE/2017/2721 dated 17th November, 2017, Official Gazette, Government of Goa, 23rd November, 2017, Series II No. 34.

Category	Respective clause of Class B—Elected Member	Name of the Member
1	2	3
Class B nominated members	iii) (a) One Principal of Higher Secondary Schools from South Goa District	1) Archana Krishnanand Naik Principal—Jawaharlal Nehru Higher Secondary School, Fatorda, Salcete-Goa.

Shri Ramkrishna Samant, Chairman (Goa Board of Secondary and Higher Secondary Education).

Alto-Betim, 14th January, 2019.

V. No. A-2063/2019.

Department of Home

Home—General Division

Order

No. 1/76/2012-HD(G)/GHRC/143

Read: Order No. 1/76/2012-HD(G)/GHRC/3546 dated 29-11-2017.

Corrigendum No. 1/76/2012-HD (G)/GHRC/3546 dated 16-04-2018.

Corrigendum No. 1/76/2012-HD (G)/GHRC/3546 dated 18-07-2018.

Order No. 1/76/2012-HD(G)/GHRC/3117 dated 18-10-2018.

Sanction of the Government is hereby accorded to extend the term of contractual appointment of Shri Premanand M. Gaonkar, retired Section Officer of the Secretariat Cadre as Section Officer in the Goa Human Rights Commission, Panaji for further period of two months with effect from 01-09-2018 to 31-10-2018 (02 months) and further extension

of the contract for a period of one year w.e.f. 01-11-2018 or till the vacancy is filled up on regular basis, whichever is earlier on the same terms and conditions as stipulated in the Order/Corrigendum cited at read above.

The expenditure on the above shall be debited from the Budget Head Demand No. 23, 2070—Other Administrative Services; 00; 105—Special Commission of Enquiry; 03—Goa State Human Rights Commission (NP); 01—Salaries.

This issues with the approval of the Department of Personnel vide their U.O. No. 10057/F dated 30-11-2018 concurrence of the Finance (Revenue & Control) Department vide their U.O. No. 1487027 dated 31-12-2018.

By order and in the name of the Governor of Goa.

Neetal P. Amonkar, Under Secretary (Home-II).

Porvorim, 8th January, 2019.

Department of Labour

—
Notification

No. 28/3/2018-LAB/Part-III/28

The following award passed by the Labour Court-II, at Panaji-Goa on 12-12-2018 in reference No. LC-II/IT/39/2011 is hereby published as required under Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

A. S. Mahatme, Under Secretary (Labour).

Porvorim, 7th January, 2019.

LABOUR COURT-II

GOVERNMENT OF GOA

AT PANAJI

(Before Shri Suresh N. Narulkar, Hon'ble
Presiding Officer)

Case No. Ref. LC-II/IT/39/2011

Ms. Surekha G. Haldankar,
H. No. 760/26, Sumagha Sadan,
Wadakade, Alto-Porvorim,
Bardez-Goa.

... Workman/Party I

V/s

M/s. Goa Antibiotics &
Pharmaceuticals Ltd.,
Tuem, Pernem-Goa.

... Employer/Party II

Workman/Party I represented by Adv. Shri Vijay
Palekar.

Employer/Party II represented by Adv. Shri Pravin
Naik.

Panaji, Dated: 12-12-2018

AWARD

1. In exercise of powers conferred by Clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), (for short 'The Act') the Government of Goa by order dated 10-11-2011 bearing No. 28/44/2011-LAB, has referred the following dispute for adjudication to the Industrial Tribunal of Goa. The Government of Goa, by its another order dated 09-02-2016, referred the present dispute for its adjudication to this Labour Court-II.

"(1) Whether the action of M/s. Goa Antibiotics & Pharmaceuticals Limited, Tuem, Pernem, Goa in dismissing from services its workman

Ms. Surekha Haldankar, Account Assistant, with effect from 01-04-2010, is legal and justified?

(2) If not, what relief the workman is entitled?"

2. Upon receipt of the reference, IT/39/11 was registered and registered A/D notices were issued to both the parties. In pursuance to the said notice, the parties put in their appearance. The Workman/Party-I (for short 'Workman') filed the claim statement on 30-03-2012 at Exb. 7. The facts of the case in brief as pleaded by the Workman are that she was employed by the Employer/Party II (for short, 'Employer') on 17-1-95 as Account Assistant. She stated that on 25-8-05 she was transferred to Production Department without any reason. She stated that due to unhygienic conditions at workplace, she fell sick. She stated that she was then deputed to attend to sales tax work. She stated that however there were false complains filed against her by the Employer. She stated that she gave detailed reply by letter dated 12-4-08. She stated that no prima-facie enquiry was conducted against her as per procedure on her clarification. She stated that she was then transferred to Finance Department where she was made to work in dingy room full of spoiled furniture. She stated that she wrote a letter to the Managing Director regarding harassment by officers of Employer by framing false complaint regarding pending work, when in reality there was no pending work at all. She stated that on 12-5-08 another show cause notice was served on her. She stated that a vague and false charge sheet was served on her on 28-5-08 alleging misconducts under Clause 26(i), 26(xx), 26(xi) and 26(iii) of the Certified Standing Orders of Employer. She stated that w.e.f. 21-6-08, Workman was suspended pending enquiry. She stated that Shri Ashok Gaikwad was appointed as an enquiry officer into the alleged charges and to furnish the findings. She stated that the enquiry was not conducted in a fair and proper manner and that the enquiry officer was completely biased towards the management and his findings do not reflect as to what transpired at the enquiry. She stated that no charge have been proved during the enquiry; that the findings given by the enquiry officer are perverse and are liable to be set aside. She stated that the objections raised by Workman during the course of enquiry were disallowed by the enquiry officer. She stated that the findings given by enquiry officer were submitted to the Disciplinary Authority who then terminated the services of Workman w.e.f. 01-04-2010. She stated that the dispute raised before the Asst. Labour Commissioner, Mapusa regarding illegal

terminations ended in failure and hence this reference. She has stated that she is unemployed and could not succeed in getting employment. Workman has prayed to reinstate her back in service with full back wages and continuity in service.

3. The Employer resisted the aforesaid claim of the Workman by filing its written statement on 22-06-2012 at Exb. 8. The Employer has denied the case of Workman and has stated that she was posted at Production Department by order dated 25-8-05 and by order dated 29-6-06 she was instructed to continue to report to Mr. G. Poke. The Employer stated that they received complaints that Workman was not obeying the instructions issued to her and refusing to do the work entrusted to her. The Employer stated that Asst. Manager Commercial made a report dated 7-4-08 against Workman contending that Workman refused to do work. The Employer stated that Workman did not do any work from 7-4-08 and remained idle till 9-5-08. The Employer stated that the services of Workman were then transferred to Finance & Accounts Department, however, the Workman refused to obey the instructions of her superior in this department. The Employer stated that the Workman was issued show-cause notice dated 12-5-08 for her such acts and she filed her explanation dated 17-5-08 which was not found to be satisfactory. The Employer stated that charge-sheet dated 28-5-08 was then issued to her. The Employer stated that enquiry conducted against Workman was fair and proper and that it was conducted in the presence of Workman up to 30-9-09 and concluded on 21-11-09 when Workman failed to attend the enquiry in spite of notices to that effect. The Employer stated that the enquiry officer submitted his findings on 30-1-10 holding the Workman guilty of charges such as (1) willful insubordination and disobedience of lawful and reasonable order of a superior, (2) failure to perform her normal duties and responsibilities and any other work for which she has basic skills and (3) making false, malicious statement, public and otherwise against the company and employees of the company. The Employer stated that a copy of enquiry report was furnished to Workman but the Workman did not make any comments on the same. The Employer stated that show-cause notice dated 04-02-2010 was then issued to Workman proposing the punishment of dismissal. The Employer stated that the Workman filed her reply dated 11-03-2010 which was found unsatisfactory. As such Workman was dismissed from the services w.e.f. 01-04-2010 without notices. The Employer stated that the past

record of Workman was not good as several show-cause notices were issued to her so also she was orally warned to improve her conduct. The Employer stated that the misconducts proved against Workman are serious misconducts which deserve punishment of dismissal. The Employer submitted that therefore its action of dismissal of Workman is legal, just and proper and no interference is called for. The Employer stated that in the event the enquiry conducted and the findings of the enquiry officer are set aside, they be allowed to prove the misconduct before this court by adducing evidence in the matter. The Employer submitted that Workman is not entitled for reinstatement in service with full back wages and continuity in service.

4. Thereafter, the Workman filed her rejoinder on 02-08-2012 at Exb. 9. The Workman, by way of her rejoinder, denied each and every statement, averments and submissions made by the Employer in its written statements which are contrary and inconsistent to the statements, averments and a submission made in her statement of claim and reiterates her case as pleaded in her statement of claim.

5. Based on the pleadings filed by the respective parties, the Hon'ble Presiding Officer, Industrial Tribunal framed the following issues on 08-11-2012 at Exb. 12.

1. Whether the Workman/Party I proves that the domestic enquiry held against her is not fair, proper and is partial?
2. Whether the charges of misconduct leveled against the Workman/Party I are proved to the satisfaction of the Tribunal by acceptable evidence?
3. Whether the Workman/Party I proves that the action of Party II in dismissing her from service w.e.f. 01-04-10 is illegal and unjustified?
4. Whether the Workman/Party I is entitled to any relief?
5. What relief? What Award?
6. My findings to the aforesaid issues are as under:
 - (a) Issue No. 1 : In the Affirmative.
 - (b) Issue No. 2 : In the Affirmative.
 - (c) Issue No. 3 : In the Affirmative.
 - (d) Issue No. 4 & 5 : As per final order.

I have heard the oral arguments of Ld. Adv. Shri Vijay Palekar, appearing for the Workman as well as Ld. Adv. Shri Pravin Naik, appearing for the Employer.

7. Ld. Adv. Shri V. Palekar, representing the Workman, during the course of his oral arguments submitted that the Workman was held guilty of the charges of misconduct such as wilful insubordination and disobedience of lawful and reasonable order of a superior, failure to perform her normal duties and responsibilities and any other work for which she has basic skills and making false, malicious statement public and otherwise against the company and employees of the company. He submitted that the misconduct proved against the Workman are not so serious which warrants the dismissal from service. He submitted that the Workman was in the services of the Employer from the year 17-01-1995 till she was dismissed from service w.e.f. 01-04-2010. He submitted that there was no complaint against the Workman till March, 2008 and that she worked smoothly for the said period. He submitted that the punishment of dismissal imposed upon the Workman is severe and disproportionate to the proved misconduct. He submitted that the Employer has failed to take into consideration the past unblemished record of the Workman as well as any other extenuating or aggravating circumstances that may exist while passing the order of dismissal. He therefore submitted that the order of dismissal issued to the Workman is illegal and unjustified. He submitted that after termination of her services, the Workman is unemployed till date. He submitted that the Workman is therefore entitled to be reinstated in service with full back wages with consequential benefits thereof. In support of his oral contentions, he relied upon a judgment in the case of **Raghubir Singh v/s. General Manager, Haryana Road ways, Hissar of Hon'ble Apex Court reported in 2014 10 SCC 301.**

8. Per contra, Ld. Adv. Shri. P. Naik, representing the Employer, during the course of his oral arguments submitted that admittedly the Workman was in the services of the Employer from 17-01-1995 till she was dismissed from service w.e.f. 01-04-2010. He submitted that the charges of misconduct proved against the Workman are so serious which warrants the punishment of dismissal from service. He submitted that the Employer has produced the past record of the Workman. He submitted that the past record of the Workman is blemished. He submitted that the Workman remained idle without performing any work for one month. He submitted that the order of dismissal issued to the Workman is just, proper and legal taking into consideration the facts and circumstances of the present case. He therefore

submitted that the reference be answered that the action of the Employer in dismissing the Workman from its service is just and legal.

I have carefully perused the entire records of the present case including the synopsis of written arguments filed by the respective parties. I have also carefully considered the oral submissions advanced by the Ld. Advocates appearing for the respective parties.

REASONS:

9. Issue No. 1 and 2:

Vide order dated 28-11-2014 passed in the findings on preliminary issue No. 1 and 2, the Hon'ble Industrial Tribunal, Panaji, Goa held that the domestic enquiry held against the Workman is fair, proper and impartial and further held that the charges of misconduct levelled against the Workman are proved to the satisfaction of this Tribunal by acceptable evidence. The issue No. 1 and 2 are therefore answered in the affirmative.

10. Issue No. 3:

It appears from the pleadings of the Workman that she challenged her dismissal from service mainly on the ground that the enquiry conducted against her was illegal as it is in violation of the principles of natural justice and the charges of misconduct has not been proved at all. The Workman also challenged the order of her dismissal on the ground that punishment of dismissal from service imposed upon her is severe and disproportionate to the proved misconduct.

11. As already stated herein above, vide order dated 28-11-2014 passed in the findings on preliminary issue No. 1 and 2, the Hon'ble Industrial Tribunal, Panaji, Goa held that the domestic enquiry held against the Workman is fair, proper and impartial and further held that the charges of misconduct levelled against the Workman are proved to the satisfaction of this Tribunal by acceptable evidence. Thus, the only ground the court has to determine as to whether the punishment of dismissal imposed upon the Workman is disproportionate to the proved misconduct.

12. The Employer is governed by its own Certified Standing Orders (CSO) applicable to its workmen. Clause 26 of the Certified Standing Orders provides for acts of misconduct. Clause 27 of the CSO provides for punishment. In terms of the said Clause 27 (a) of the CSO, the punishment of misconduct that may be awarded by the manager or any person duly authorised by him shall be as

follows warning or censure, fine, suspension without pay not exceeding four days, stoppage of increment or reduction in the grade or reversion or demotion to a lower grade, removal from service without notice or payment in lieu of notice and dismissal from service without notice. In terms of Clause 27 (b) no order shall be passed punishing for fine, suspension without pay not exceeding four days and stoppage of increment or reduction in the grade or reversion or demotion to a lower grade unless the workman concerned has been informed in writing of the alleged misconduct and given an opportunity to explain the circumstances alleged against him. In terms of Clause 27 (c) of the CSO no order of discharge or dismissal as stated in Clause 27 (a) of the CSO shall be made except after holding an enquiry against the workman concerned in respect of the alleged misconduct in the manner set out below. Further, in terms of the said Clause 27 (d) of the CSO if awarding the punishment the management shall take into account the gravity of the misconduct, the previous record of the workman and any other extenuating or aggravating circumstances that may exist, a copy of the order passed by the management shall be supplied to the workman concerned.

13. In the case in hand, the evidence on record indicates that vide charge-sheet dated 28-05-2008, the Workman was charged and also held guilty of the charges of misconduct such as wilful insubordination and disobedience of lawful and reasonable order of a superior, failure to perform her normal duties and responsibilities and any other work for which she has basic skills and making false, malicious statement public and otherwise against the company and employees of the company. The Workman was also issued a copy of the findings of the Enquiry Officer for her comments. The Workman has however, failed to make any comments over the said findings of the Enquiry Officer. The Workman was also issued a show-cause notice on the proposed punishment of dismissal. The Workman replied to the said show-cause notice of the Employer dated 24-02-2010 by her letter dated 24-02-2010 and dated 11-03-2010. The Employer thereafter issued a dismissal letter dated 31-03-2010 dismissing the service of the Workman w.e.f. 01-04-2010 without notice or salary in lieu thereof by stating that the explanation offered by her is found to be unsatisfactory and without any substance by taking into consideration the gravity of misconduct. Thus, the Employer has failed to take into consideration the previous record of the Workman and any other extenuating or aggravating circumstances that

may exist as stated in Clause 27 (d) of its CSO. The evidence on record indicates that the Workman was in the continuous services of the Employer from 17-01-1995 till she was dismissed from service w.e.f. 01-04-2010. The evidence on record indicates that there was no complaints against the Workman till March, 2008 and that she worked smoothly for the said period. There is nothing on record to show that the past record of the Workman is blemished. The witness of the Employer namely, Shri Bramhanand Parab in his affidavit in evidence stated that the past record of the Workman was not good and was issued several show-cause notices. However, no documentary evidence has been produced by the Employer on record to that effect. The said witness of the Employer in his affidavit in evidence further stated that the Workman was orally warned in order to give her opportunities to improve her conduct. However, the Employer has failed to state as to when the alleged oral warning was issued to the Workman as well as cause for the same. In the absence of any such cogent evidence, the action of the Employer in dismissing the Workman is therefore in violation of Clause 27 (d) of its CSO. In my considered opinion, the punishment of stoppage of increment or reduction in the grade or reversion or demotion to a lower grade would have met the ends of justice taking into consideration her past unblemished record. In view of above, it is held that the Workman proved that the action of the Employer in dismissing her service w.e.f. 01-04-2010 is illegal and unjustified. The issue No. 3 is therefore answered in the affirmative.

14. Issue No. 4:

While deciding the issue No. 3 hereinabove, I have discussed and come to the conclusion that the action of the Employer in dismissing the service of the Workman w.e.f. 01-04-2010 is illegal and unjustified.

The Workman in her oral evidence stated that on account of termination of her services she could not get any employment anywhere as she have become over aged for the same. The Workman has nowhere stated in her affidavit in evidence her age on the date of her termination of services. However, the Workman disclosed her age of 40 years in her evidence recorded on 08-02-2013 before the Industrial Tribunal-cum-Labour Court, Panaji, Goa. It means that the age of the Workman as on the date of her termination must be around 37 years. The said age of 37 years cannot be said to be over age for the employment taking into consideration the eligibility criteria adopted by

the State Government in filling the vacant posts in several departments. The Workman, in her cross-examination admitted that after termination of her services by the Employer, she did not apply for employment in any of the establishment/company. In the circumstances, the Workman is entitled to reinstatement in service without any back wages and consequential benefits thereof.

In view of the above discussion and with regards to the facts and circumstances of the case, I pass the following order:

ORDER

1. It is held that the action of M/s. Goa Antibiotics & Pharmaceuticals Limited, Tuem, Pernem, Goa, in dismissing from services its workman Ms. Surekha Haldankar, Account Assistant, with effect from 01-04-2010, is illegal and unjustified.
2. It is further held that the Employer M/s. Goa Antibiotics & Pharmaceuticals Limited, Tuem, Pernem, Goa, is hereby directed to reinstate the Workman, Ms. Surekha Haldankar, Account Assistant, in service without any back wages and consequential benefits thereof.
3. No order as to costs.

Inform the Government accordingly.

Sd/-
(Suresh N. Narulkar)
Presiding Officer,
Labour Court-II.

Department of Law & Judiciary
Law (Establishment) Division

Order

No. 12/06/2018-LD/Estt/82

In pursuance of the Order of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 643 of 2015 All India Judges Association versus Union of India & Ors. dated 27-03-2018, the Government of Goa is pleased to accept the summary of recommendations made by a Committee appointed by the Hon. Supreme Court in the Report on Interim Relief (pay) to the Judicial Officers, and as directed by the Hon'ble Supreme Court by its Order at 27-03-2018 as follows:-

1. Interim relief to the extent of 30% of increase in basic pay with accrued increments shall be paid to all categories/ranks of Judicial Officers.

2. The said increase in pay shall be treated as a separate component and no D.A. is payable thereon.
3. Arrears shall be worked out with effect from 01-01-2016 on the above basis.
4. On the same basis, the interim relief shall be provided to the pensioners and family pensioners with effect from 01-01-2016 and the arrears to be paid accordingly.

Accordingly, the pay for the Judicial Officers shall be payable with the above interim relief for the month of January, 2019 and the arrears w.e.f. 01-01-2016 to 31-12-2018 shall be paid by 31-03-2019.

The amount payable by way of interim relief are liable to be adjusted against the future determination pursuant to any directions of the Hon'ble Supreme Court, as is accepted by the State Government.

This issues with the concurrence of Finance (Rev. & Cont.) Department vide their U.O. Nos. 1400054389 dated 15-11-2018 and 1400049186 dated 14-12-2018.

By order and in the name of the Governor of Goa.

Anju S. Kerkar, Under Secretary (Law-Estt.).

Porvorim, 10th January, 2019.

Order

No. 14/06/2018/LD(Estt.)/94

Whereas, a meeting was held on 08-09-2017, between the Hon'ble Chief Minister of Goa and the Hon'ble Chief Justice of the High Court of Bombay, in regards to matters relating to infrastructure, allotment of funds etc.; besides the issue pertaining to applicability of the Service Rules along with the VIIth pay to the employees on the establishment of the High Court of Bombay at Goa.

And whereas, in the aforesaid meeting, it was decided that once the terms and conditions of application of the Service Rules (as applicable to Goa Government employees) to the employees of the Establishment of High Court of Bombay at Goa are settled, than the issues related to application of Seventh Pay Commission, Pension etc.; will fall in place.

And whereas, four employees of the Hon'ble High Court of Bombay at Goa filed Misc. Application No. 645/2018 in Stamp Number (Appln.) No. 3582 of 2016 before the Hon'ble High Court of Bombay at Goa seeking the relief of applicability of VIIth Pay

Commission for the applicant and other eligible staff members at the establishment of the High Court of Bombay at Goa.

And whereas, the matter of application of the Service Rules (as applicable to Goa Government employees) to the employees on the establishment of High Court of Bombay at Goa was under active consideration of the High Court Administration in consultation with the officers of the State Government, and a draft of the rules viz., the High Court of Bombay at Goa and the Members on the Establishment (Recruitment and Conditions of Service) Rules (hereinafter referred as 'said Rules') is nearing finalization after the preliminary rounds of discussions. The process for approval as per law in force is due to be undertaken.

And whereas, vide Order dated 21-12-2018, the Hon'ble High Court has directed that the following interim arrangement shall be worked out and the same will be operative until finalization of the said Rules.

- "1) The benefits would be given starting from the salary of the respective employees for the month of January, 2019.
- 2) As regards the posts where there is a dispute with regard to equivalence of pay scales in the State Government, presently, the closest matching pay scale on the lower side would be identified and the benefits in terms of that scale would be given in terms of Clause (1) above.

3) As far as the arrears from 01-01-2016 till 31-12-2018 are concerned, the manner of payment of the same will be decided within four weeks from the date the said Rules are notified.

4) As regards the amounts which will be paid and the balance amount to be paid in terms of Clause (2) above, it is made clear that the same will be subject to the said Rules which would be notified and the present arrangement is temporary in nature as a working arrangement."

Now, therefore, sanction of the Government is hereby accorded for the interregnum implementation of revised pay as per the Order dated 21-12-2018 in Misc. Application No. 645/2018 in Stamp Number (Appln.) No. 3582 of 2016 and as per the Annexure appended to this Order.

The interim arrangements would be operative until finalization of the said Rules and the pay shall be fixed as per the CCS (Revised) Pay Rules, 2016.

This issues with the concurrence of Finance (Rev. & Cont.) Department vide their U. O. No. 1400052534 dated 14-01-2019.

By order and in the name of the Governor of Goa.

Anju S. Kerkar, Under Secretary (Law-Estt.).

Porvorim, 15th January, 2019.

ANNEXURE

Sr. No.	Designation	Pay scales in VIth Pay Rules	Pay level in VIIth pay matrix
A	B	D	E
Non Ministerial (Non Lapsable) Posts			
1.	Registrar	51550-1230-58930-1380-63070 (Judicial Officers on deputation will follow their scale)	—
2.	Deputy Registrar	43690-1080-49090-1230-56470 (as per Maharashtra Government Resolution dated 31-03-2018—Judicial Officers on deputation will follow their scale)	—
3.	Senior Private Secretary	PB-3 Rs. 15,600-Rs. 39,100 plus GP Rs. 7600	Level 12
4.	Assistant Registrar	PB-3 Rs. 15,600-Rs. 39,100 plus GP Rs. 6600	Level 11
5.	Librarian	PB-3 Rs. 15,600-Rs. 39,100 plus GP Rs. 5400	Level 10
6.	Protocol Officer-cum-Court Keeper	PB-3 Rs. 15,600-Rs. 39,100 plus GP Rs. 6600	Level 11
7.	Junior Translator & Interpreter	PB-2 Rs. 9300-Rs. 34,800 plus GP Rs. 4200	Level 06
8.	Accountant	Rs. 9300-Rs. 34,800 plus GP Rs. 4200	Level 06

A	B	D	E
9.	Assistant Librarian	PB-1 Rs. 5200-Rs. 20,200 plus GP Rs. 2800	Level 05
10.	Software Programmer	PB-2 Rs. 9300-Rs. 34,800 plus GP Rs. 4300	Level 06
Ministerial (Lapsable) Posts			
11.	Private Secretaries	PB-3 Rs. 15,600-Rs. 39,100 plus GP Rs. 6600	Level 11
12.	Personal Assistant	PB-3 Rs. 15,600-Rs. 39,100 plus GP Rs. 5400	Level 10
13.	Section Officers	Presently being drawn PB-2 Rs. 9300-Rs. 34,800 plus GP Rs. 4,400 & after 4 years of regular service (PB-2) Rs. 9300-Rs. 34,800 & GP Rs. 5400	Level 07
14.	Shorthand Writer (H.G.)	PB-2 Rs. 9300-Rs. 34,800 plus GP Rs. 4400	Level 07
15.	Shorthand Writer (L.G.)	PB-2 Rs. 9300-Rs. 34,800 plus GP Rs. 4300	Level 06
16.	Assistants	PB-2 Rs. 9300-Rs. 34,800 plus GP Rs. 4300	Level 06
17.	Console Operator	PB-1 Rs. 5200-Rs. 20,200 plus GP Rs. 2800	Level 05
18.	Clerks	PB-1 Rs. 5200-Rs. 20,200 plus GP Rs. 1900	Level 02
19.	Drivers	PB-1 Rs. 5200-Rs. 20,200 plus GP Rs. 1900	Level 02
20.	Chobdars	PB-1 Rs. 5200-Rs. 20,200 plus GP Rs. 1900	Level 02
21.	Filer	PB-1 Rs. 5200-Rs. 20,200 plus GP Rs. 1900	Level 02
22.	Binder	PB-1 Rs. 5200-Rs. 20,200 plus GP Rs. 1900	Level 02
23.	Xerox Operators (*)	1S-Rs. 4440-Rs. 7440 plus GP Rs. 1600 (*)	Level 01**
24.	Peons (*)	1S-Rs. 4440-Rs. 7440 plus GP Rs. 1300 (*)	Level 01**
25.	Watchman	1S-Rs. 4440-Rs. 7440 plus GP Rs. 1300 (*)	Level 01**
26.	Gardener	1S-Rs. 4440-Rs. 7440 plus GP Rs. 1300 (*)	Level 01**
27.	Sweeper	1S-Rs. 4440-Rs. 7440 plus GP Rs. 1300 (*)	Level 01**
28.	Cook	1S-Rs. 4440-Rs. 7440 plus GP Rs. 1300 (*)	Level 01**

(*) Designated as Multitasking Staff (MTS).

(**) The revised pay of the incumbents on the position as at Sr. No. (23) to (28) shall be fixed at level 01, provided they meet the qualification standards and/or fulfill the guidelines prescribed in this regard, to the equivalent position in the State Government viz. MTS.

Notification

No. 8-21-2017-LD(Estt)/Part/76

Read: 8/21/2017-LD(Estt)/Part dated 27-07-2018.

In exercise of the powers conferred by Section 78A of the Registration Act, 1908 (16 of 1908), as in force in the State of Goa (hereinafter referred to as the "said Act"), the Government of Goa is hereby pleased to grant refund of registration fees of an amount of Rs. 3,00,000 (Rupees three lakhs only) paid by Matruchaya Trust, Ponda-Goa, towards purchase of land admeasuring 4297 square meters, bearing Survey No. 32/7 and 31/12 of the Village of Talaulim of Ponda Taluka by way of Deed of Sale, for the purpose of utilizing the same for rehabilitation and education of under privileged children.

This issues with the concurrence of Finance (Rev. & Cont.) Department vide U. O. No. 1400050568 dated 26-12-2018.

By order and in the name of the Governor of Goa.

Anju S. Kerkar, Under Secretary (Law-Estt.).

Porvorim, 9th January, 2019.

Department of Official Language

Directorate of Official Language

—
Notification

No. 5/12/2011/DOL/GKA/Gen-Coun/71

In exercise of power conferred by Clause 6 (i) and 10 (xii) of the Constitution of Goa Konkani Akademi, Panaji, Government is pleased to nominate the below mentioned persons in Goa Konkani Akademi, with immediate effect.

- | | | |
|----------------------------|---|------------|
| 1. Shri Suresh G. Amonkar, | — | President. |
| r/o Mapusa, Goa | | |
| 2. Shri Kanta Gaude, | — | Member. |
| r/o Veling, Mardol, Goa | | |
| 3. Shri Arun Sakhardande, | — | Member. |
| r/o Mapusa, Goa | | |
| 4. Shri Agnel D'Silva, | — | Member. |
| r/o Sankhali, Goa | | |

This Notification is issued in supersession of Government Notification No. 5/12/2011/DOL/GKA/Gen-Coun/260 dated 04-06-2015.

By order and in the name of the Governor of Goa.

Sneha S. Morajkar, Director & ex officio Joint Secretary (Official Language).

Panaji, 15th January, 2019.

—◆◆◆—
Department of Personnel—
Order

No. 1/1/2017-Addl. Secy (PER)/103

Read: 1) Order No. 1/1/2017-Addl. Secy(PER) dated 22-11-2017 published in Official Gazette, Extraordinary, Series II No. 34 dated 24-11-2017.

2) Order No. 1/1/2017-Addl. Secy(PER)/3288 dated 10-12-2018.

Whereas, the Government vide Order No. 1/1/2017-Addl. Secy(PER)/3288 dated 10-12-2018 was pleased to extend the validity of Inter Departmental Committee of Officers (IDCO) and High Level Empowered Committee (HLEC) constituted vide order read at (1) in the preamble, upto 31st October, 2019 in public interest subject to approval of Council of Ministers.

And whereas, Finance Department vide its U.O. No. 1400043948 dated 23-10-2018 has concurred the proposal to extend the validity of the special mechanism.

And whereas, the Council of Ministers in its XXXVIth Meeting held on 20-12-2018 resolved to extend the validity of the special mechanism created vide order dated 22-11-2017 till 31st October, 2019 constituting the Inter Departmental Committee of Officers (IDCO) and High Level Empowered Committee (HLEC).

Now, therefore, Government is pleased to confirm the order read in preamble at (2) extending the validity of Inter Departmental Committee of Officers (IDCO) and High Level Empowered Committee (HLEC) till 31st October, 2019.

By order and in the name of the Governor of Goa.

Yetindra Maralkar, Additional Secretary (Personnel).

Porvorim, 8th January, 2019.

—
Order

No. 6/10/2014-PER/127

On recommendation of the Goa Service Board and with the approval of the Government Shri Narayan Sawant, Additional Secretary (Home), is transferred and posted as Additional Chief Electoral Officer, Goa, with immediate effect, in public interest.

This issues with the approval of Election Commission of India conveyed vide letter No. 154/Goa/2018-P. Admn dated 18-12-2018.

Consequently, Shri Narayan Navti shall report to Department of Personnel for further orders.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).

Porvorim, 9th January, 2019.

—
Order

No. 5/14/2018-PER/138

Read: 1) Order No. 5/14/2018-PER/2828 dated 05-11-2018.

2) Order No. 5/14/2018-PER/2918 dated 13-11-2018.

3) Order No. 5/14/2018-PER/2943 dated 14-11-2018.

In continuation to the orders read in preamble, the departmental training in respect of the following officers at Sr. Nos. 8 to 16 is extended for a further period till 15-01-2019 and the officers at Sr. Nos. 1 to 7 are deputed for two days departmental training on "Ethics and Values" on

14th & 15th January, 2019 at the Goa Institute of Public Administration and Rural Development, Ela, Old Goa from 9.30 a.m. to 5.00 p.m. Meals and refreshments will be provided during the training programme:

1. Smt. Maya Pednekar,
Awaiting posting.
2. Smt. Fransquinha Oliveira,
Deputy Director (Admn.), Agriculture
3. Shri Shripad Arlekar,
1) Deputy Director, Apna Ghar.
2) Member Secretary, Ravindra Bhavan,
Sanquelim.
4. Shri Chandresh Kunkalkar,
Assistant Commissioner of Commercial Taxes.
5. Smt. Shivanee Borkar,
1) Under Secretary (ARD).
2) Deputy Director (Admn.), Labour and
Employment.
3) Under Secretary (HT & C).
6. Smt. Snehal Shivram Prabhu,
Dy. Director, Panchayat-South.
7. Smt. Nayan Moroscar,
Assistant Commissioner of Excise-II.
8. Shri Kuldeep Ulhas Arolkar,
Junior Scale Officer of Goa Civil Service.
9. Shri Sachin Santosh Desai,
Junior Scale Officer of Goa Civil Service.
10. Shri Premraj Krishnanath Shirodkar,
Junior Scale Officer of Goa Civil Service.
11. Shri Pranab Gajanan Bhat,
Junior Scale Officer of Goa Civil Service.
12. Shri Kabir Krishna Shirgaonkar,
Junior Scale Officer of Goa Civil Service.
13. Shri Sagar Babuli Gaude,
Junior Scale Officer of Goa Civil Service.
14. Dr. Pooja Milind Madkaikar,
Junior Scale Officer of Goa Civil Service.
15. Shri Vikas Shankar Kamble,
Junior Scale Officer of Goa Civil Service.
16. Kum. Fiona Audrey Cardozo,
Junior Scale Officer of Goa Civil Service.
17. Shri Nilesh Kushta Dhaigodkar,
Junior Scale Officer of Goa Civil Service.
18. Shri Pritidas Upasso Gaonkar,
Junior Scale Officer of Goa Civil Service.
19. Shri Mangaldas Budho Gaonkar,
Junior Scale Officer of Goa Civil Service.

The link arrangement issued vide order read in preamble at Sr. No. 1 shall remain the same.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).

Porvorim, 11th January, 2019.

Order

No. 6/3/2002-PER(Vol.I)/142

On the recommendation of local DPC, the Governor of Goa is pleased to promote on ad hoc basis, the following Junior Scale Officers of Goa Civil Service to Senior Scale in Level 11 of the CCS Revised Pay Band Rules, 2016, with immediate effect:-

1. Shri Bhushan K. Savoikar.
2. Smt. Sheru Appa Shirodkar.
3. Smt. Varsha Naik.
4. Smt. Anju S. Kerkar.
5. Shri Gaurish Shankar Kurtikar.
6. Shri Brijesh D. Manerkar.
7. Shri Santosh S. Kundaikar.

The above ad hoc promotion shall be for a period of six months or till the post is filled on regular basis whichever is earlier.

The above ad hoc promotion shall not bestow on the promoted Officers any claim for regular promotion and service rendered on ad hoc basis in the Grade will not count for the purpose of seniority in that grade or for eligibility for promotion to the next higher grade.

The posting order of the officers is being issued separately.

By order and in the name of the Governor of Goa.

Harish N. Adconkar, Under Secretary (Personnel-I).

Porvorim, 14th January, 2019.

Department of Public Health

Order

No. 31/11/2005-I/PHD(Part)/96

In terms of newer guidelines of Ministry of Health and Family Welfare, Government of India, New Delhi, Government is pleased to constitute Executive Committee of Rogi Kalyan Samiti Committee for the T. B. Hospital, Margao under

Directorate of Health Services comprising of the following Members as under:-

- | | |
|--|---------------------|
| 1. Deputy Collector, Salcete Block | — Chairperson. |
| 2. Cheif Medical Officer, T.B. Hospital, Margao | — Member Secretary. |
| 3. BDO, Salcete Block | — Member. |
| 4. Chief Officer, Margao Municipal Council | — Member. |
| 5. CDPO, Salcete Block | — Member. |
| 6. Executive Engineer (PWD), Salcete Block | — Member. |
| 7. ADEI, Salcete Block | — Member. |
| 8. Shri Vikas Haldipurkar (Prominent Citizen), Flat No. 2/2nd floor, Pritvi Apartments, Gogal, Margao | — Member. |
| 9. Ms. Beena Kulkarni (Prominent citizen), H. No. 273/D, Opp. Datta Mandir, Tolleband, Davorlim, Salcete-Goa | — Member. |
| 10. PHN/Matron, T.B. Hospital, Margao | — Member. |

The terms of reference of the above Committee shall be as under:-

1. The meeting of the Executive Committee shall be convened by the Member Secretary by giving clear 07 days notice in writing alongwith the Agenda specifying the business to be transacted, the date, time and venue of meeting.
2. The Executive Committee will meet atleast once in two months.
3. The quorum will be 50% Members. The presence of the Chairman is essential.
4. The Executive Committee will implement the decisions taken by the Governing Body and will function within its powers.
5. The minutes of the Executive Committee meeting will also be communicated to the members of the Governing Body.
6. The Executive Committee can delegate some of its financial powers to the Member Secretary.

By order and in the name of the Governor of Goa.

Maria Seomara De Souza, Under Secretary (Health).
Porvorim, 3rd January, 2019.

Order

No. 31/11/2005-I/PHD(Part)/97

In terms of newer guidelines of Ministry of Health and Family Welfare, Government of India, New Delhi, Government is pleased to constitute Governing Body (GB) of Rogi Kalyan Samiti Committee for the T. B. Hospital, Margao under Directorate of Health Services comprising of the following Members as under:-

- | | |
|--|---------------------|
| 1. Dy. Collector, Salcete Block | — Chairperson. |
| 2. BDO, Salcete Block | — Member. |
| 3. Chief Officer, Margao Municipal Council | — Member. |
| 4. CDPO, Margao Block | — Member. |
| 5. Executive Engineer (PWD), Salcete Block | — Member. |
| 6. ADEI, Salcete Block | — Member. |
| 7. Shri Vikas Haldipurkar (Prominent Citizen), Flat No. 2/2nd floor, Pritvi Apartments, Gogal, Margao | — Member. |
| 8. Ms. Beena Kulkarni (Prominent citizen), H. No. 273/D, Opp. Datta Mandir, Tolleband, Davorlim, Salcete-Goa | — Member. |
| 9. CMO, T.B. Hospital, Margao | — Member Secretary. |

The terms of reference of the above Body shall be as under:-

1. The GB will have full control of the affairs of the Society and will have the authority to exercise and perform all the powers, acts and deeds of the society consistent with the aims and objects of the society.
2. The GB shall take policy decisions related to overall functioning of the RKS which would be implemented by EC of RKS.
3. The GB shall review income & expenditure statements, consider the annual budget and the annual action plan of the committee, subsequent alternations placed before it and pass it with such modification as the GB may think fit.
4. The GB shall monitor the financial position of the society in order to ensure smooth funds utilization and review annual audited accounts.

5. The GB shall review compliance to Indian public health standards, and performance of public grievance redressal at facility level. It will also review compliance to standards & protocols, and reports of the monitoring committees on quality assurance.
6. The GB shall consider & approve financial proposals that are beyond the powers of the Executive Committee, i.e. over Rs. 10.00 lakhs at the level of the DHS, Rs. 5.00 lakhs at the CHC/SDH, and Rs. 1,75,000.00 at the PHC.
7. The GB shall have powers to engage chartered accountant for audit purposes for a period not exceeding three years.
8. The GB shall meet at least once in quarter.

By order and in the name of the Governor of Goa.

Maria Seomara De Souza, Under Secretary (Health).
Porvorim, 3rd January, 2019.

Order

No. 44/28/2017-I/PHD/133

Government is pleased to transfer and post the following Medical Officers under Directorate of Health Services, with immediate effect.

Sr. No.	Name of the Medical Officer	Present place of posting	Transferred at
1	2	3	4
1.	Dr. Arya Shirodkar, Medical Officer	PHC, Quepem	Sub-District Hospital, Ponda vice Dr. Reshmi Dessai transferred.
2.	Dr. Reshmi Dessai, Medical Officer	Sub-District Hospital, Ponda	PHC, Quepem vice Dr. Arya Shirodkar transferred.

By order and in the name of the Governor of Goa.

Maria Seomara Desouza, Under Secretary (Health-II).
Porvorim, 9th January, 2019.

Order

No. 44/16/2016-I/PHD/143

Government is pleased to transfer and post Dr. Baptisto Mascarenhas, Medical Officer from Primary Health Centre, Sanguem to Primary Health

Centre, Curtorim against the vacant post occurred due to promotion of Dr. Vallabh Nadkarni to the post of Health Officer, with immediate effect.

By order and in the name of the Governor of Goa.

Maria Seomara Desouza, Under Secretary (Health).

Porvorim, 9th January, 2019.

Department of Revenue

Order

No. 26/5/2015-RD/61

Ex-post facto approval of the Government is hereby accorded for extension of ad hoc promotion granted to Shri Sudesh K. Naik Bhairali, as ISLR, at the Directorate of Settlement and Land Records for the interim period w.e.f. 01-01-2018 to 17-06-2018, i.e. 05 months and 17 days.

This issues with the approval of G.P.S.C. conveyed vide their letter No. COM/II/11/29(1)/2013/881 dated 19-11-2018.

By order and in the name of the Governor of Goa.

Sudin A. Natu, Under Secretary (Revenue-I).

Porvorim, 10th January, 2019.

Department of Transport

Directorate of Transport

Notification

No. D.Tpt/EST/839-V (Part File)/2018/1035

In exercise of the powers conferred by sub-section (2), read with sub-section (4) of Section 215 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988) and Section 21 of the General Clauses Act, 1897 (No. 10 of 1897), the Government of Goa hereby further amends the Government Notification No. D.Tpt/EST/839/IV/2011 dated 13-01-2011, published in the Official Gazette, Series II No. 44 dated 27-01-2011 (hereinafter referred to as the "principal Notification"), as follows, namely:-

In the principal Notification, after entry at serial number 12B, the following entries shall be inserted, namely:-

"12C. Director of Panchayats, — Member.

12D. Director of Municipal — Member".
Administration

By order and in the name of the Governor of
Goa.

Nikhil Desai, Director & ex officio Additional
Secretary (Transport).

Panaji, 7th January, 2019.

Corrigendum

No. D.Tpt/EST/285-IV/2019/105

Ref.: Order No. D.Tpt/EST/285-IV/2018/2181 dated
13-04-2018.

The Budget Head mentioned in the above
referred Order dated 13-04-2018 regarding reverting
of Shri Vinod R. Arlekar (S.C.) to the substantive
post of Motor Vehicles Inspector (Group 'C')
may be read as "3055—Road Transport;
00—001—Direction and Administration;
03—Rationalization of Road Transport Services;
01—Salaries" instead of "2041-00-102-01-01."

The remaining contents of the said Order dated
13-04-2018 remain unchanged.

By order and in the name of the Governor of
Goa.

Nikhil Desai, Director & ex officio Additional
Secretary (Transport).

Panaji, 8th January, 2019.

Department of Urban Development

Municipal Administration

Order

No. 1/03/DMA/Admn/RTI/2950

Read: Order No. 1/03/DMA/Admn/2350 dated
14-11-2017.

In partial modification to the above referred
order, the Government has approved the
appointment of the following official of the Mapusa
Municipal Council in the State of Goa under the
Right to Information Act, 2005 to act as Officials
under sub-section (2) of Section 5 of the Right to
Information Act, 2005.

Sr. No.	Name of the official	Designation	Office Telephone No.
1.	Municipal Engineer Grade-I	Public Infor- mation Officer	2262203

The Public Information Officer is responsible for
maintaining and updating all required information
and also receiving and disposing off applications
under Right to Information Act, 2005.

R. Menaka, IAS, Director (Urban Development).

Panaji, 4th January, 2019.

www.goaprintingpress.gov.in

Published and Printed by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE—Rs. 14.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—319/160-1/2019.